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APPLICATION NO. FILING DATE		LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,057 08/28/2001		8/28/2001	Steven W. Rogers	5150-59901	5661
35690	7590	12/07/2006		EXAMINER	
		DD, KIVLIN, KO	KENDALL, CHUCK O		
700 LAVACA, SUITE 800 AUSTIN, TX 78701				ART UNIT	PAPER NUMBER
				2192	

DATE MAILED: 12/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination					
	09/941,057		ROGERS ET AL.					
	Chuck Kendall		2192					
Document Code - AP.PRE.I	DEC							
Notice of Panel De	cision fro	m Pre-A	ppeal Brief	Review				
This is in response to the Pre-Appeal Brief Request for Review filed Oct. 25, 2006.								
 Improper Request – The Requestor(s): 	uest is imprope	r and a conferer	nce will not be held fo	or the following				
 ☐ The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request. ☐ The request does not include reasons why a review is appropriate. ☐ A proposed amendment is included with the Pre-Appeal Brief request. ☐ Other: 								
The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.								
2. Proceed to Board of Patent A held. The application remains under is required to submit an appeal brief brief will be reset to be one month from the receipt of the notice appeal brief is extendible under 37 C of the notice of appeal, as applicable	appeal because in accordance wom mailing this confappeal, which is the confappeal in the confappeal in the confappeal in the confappeal in the confappear in	e there is at leas with 37 CFR 41.3 decision, or the l chever is greater	t one actual issue for 37. The time period for balance of the two-m r. Further, the time po	r appeal. Applicant or filing an appeal onth time period eriod for filing of the				
☐ The panel has determined to Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-40. Claim(s) withdrawn from consider		claim(s) is as fo	ollows:					
3. Allowable application – A cor Allowance will be mailed. Prosecution applicant at this time.	nference has be n on the merits	en held. The rej remains closed.	ection is withdrawn a No further action is	ind a Notice of required by				
4. ☐ Reopen Prosecution – A confaction will be mailed. No further action	erence has bee on is required b	n held. The reje y applicant at thi	ction is withdrawn an	nd a new Office				
All participants:	•							

(2) <u>Tuan Dam</u>.

(1) Chuck Kendall.